

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK GILLEN, Plaintiff,	:	CIVIL ACTION
	:	
	:	
V.	:	
	:	
ANDREW M. SAUL, Commissioner of Social Security, Defendant. ¹	:	NO. 18-3745
	:	

ORDER

AND NOW, this 5th day of August, 2019, upon independent review of the brief in support of review filed by Plaintiff, Defendant's response thereto, Plaintiff's reply, and Defendant's unopposed Motion to Stay (Doc. Nos. 12, 13, 16 & 17), and after careful consideration of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is

ORDERED that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. This action is placed **IN SUSPENSE** until the conclusion of the consolidated appeal in *Bizarre v. Berryhill*, No. 19-1773 (3d Cir.);
3. The Clerk of Court shall mark this case closed for statistical purposes;
4. The Commissioner **SHALL NOTIFY** the Court within thirty days of the conclusion of the consolidated appeal so that this case may proceed to final disposition.

¹ Andrew M. Saul became Commissioner of Social Security on June 4, 2019 and is therefore substituted for Nancy A. Berryhill as Defendant in this suit. See Fed. R. Civ. P. 25(d)(1); 42 U.S.C. § 205(g) (Social Security disability actions “survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office”).

BY THE COURT:

Date:


JOEL H. SLOMSKY, J.